

MESSAGE NO: 7299113 MESSAGE DATE: 10/24/1996

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-845, A-570-846

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/25/1996 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF PRELIMINARY DETERMINATIONS OF CRITICAL CIRCUMSTANCES OF
BRAKE DRUMS & BRAKE ROTORS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-845 &
846)

MESSAGE NO: 7299113

DATE: 10 24 1996

CATEGORY: ADA

TYPE: PRE

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 845

A - 570 - 846

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PERIOD COVERED: 10 25 1996 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: NOTICE OF PRELIMINARY DETERMINATIONS OF CRITICAL
CIRCUMSTANCES OF BRAKE DRUMS & BRAKE ROTORS FROM
THE PEOPLE'S REPUBLIC OF CHINA (A-570-845 & 846)

1. ON OCTOBER 25, 1996, THE DEPARTMENT OF COMMERCE WILL PUBLISH
IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATIONS OF
CRITICAL CIRCUMSTANCES IN THE ANTIDUMPING DUTY INVESTIGATIONS OF
BRAKE DRUMS AND BRAKE ROTORS FROM THE PEOPLE'S REPUBLIC OF CHINA
(A-570-845, A-570-846).

2. THE PRODUCTS COVERED BY THESE INVESTIGATIONS ARE CERTAIN BRAKE
DRUMS AND CERTAIN BRAKE ROTORS.

BRAKE DRUMS ARE MADE OF GRAY CAST IRON, WHETHER FINISHED, SEMIFINISHED, OR UNFINISHED, RANGING IN DIAMETER FROM 8 TO 16 INCHES (20.32 TO 40.64 CENTIMETERS) AND IN WEIGHT FROM 8 TO 45 POUNDS (3.63 TO 20.41 KILOGRAMS). THE SIZE PARAMETERS (WEIGHT AND DIMENSION) OF THE BRAKE DRUMS LIMIT THEIR USE TO THE FOLLOWING TYPES OF MOTOR VEHICLES: AUTOMOBILES, ALL-TERRAIN VEHICLES, VANS AND RECREATIONAL VEHICLES UNDER "ONE TON AND A HALF," AND LIGHT TRUCKS DESIGNATED AS "ONE TON AND A HALF."

FINISHED BRAKE DRUMS ARE THOSE THAT ARE READY FOR SALE AND INSTALLATION WITHOUT ANY FURTHER OPERATIONS. SEMI-FINISHED DRUMS ARE THOSE ON WHICH THE SURFACE IS NOT ENTIRELY SMOOTH, AND HAS UNDERGONE SOME DRILLING. UNFINISHED DRUMS ARE THOSE WHICH HAVE UNDERGONE SOME GRINDING OR TURNING.

THESE BRAKE DRUMS ARE FOR MOTOR VEHICLES, AND DO NOT CONTAIN IN THE CASTING A LOGO OF AN ORIGINAL EQUIPMENT MANUFACTURER (OEM) WHICH PRODUCES VEHICLES SOLD IN THE UNITED STATES (E.G., GENERAL MOTORS, FORD, CHRYSLER, HONDA, TOYOTA, VOLVO).

BRAKE DRUMS COVERED IN THIS INVESTIGATION ARE NOT CERTIFIED BY OEM PRODUCERS OF VEHICLES SOLD IN THE UNITED STATES. THE SCOPE ALSO INCLUDES COMPOSITE BRAKE DRUMS THAT ARE MADE OF GRAY CAST IRON, WHICH

CONTAIN A STEEL PLATE, BUT OTHERWISE MEET THE ABOVE CRITERIA.

BRAKE DRUMS ARE CLASSIFIABLE UNDER SUBHEADING 8708.39.5010 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

BRAKE ROTORS ARE MADE OF GRAY CAST IRON, WHETHER FINISHED, SEMIFINISHED, OR UNFINISHED, RANGING IN DIAMETER FROM 8 TO 16 INCHES (20.32 TO 40.64 CENTIMETERS) AND IN WEIGHT FROM 8 TO 45 POUNDS (3.63 TO 20.41 KILOGRAMS). THE SIZE PARAMETERS (WEIGHT AND DIMENSION) OF THE BRAKE ROTORS LIMIT THEIR USE TO THE FOLLOWING TYPES OF MOTOR VEHICLES : AUTOMOBILES, ALL-TERRAIN VEHICLES, VANS AND RECREATIONAL VEHICLES UNDER "ONE TON AND A HALF," AND LIGHT TRUCKS DESIGNATED AS "ONE TON AND A HALF."

FINISHED BRAKE ROTORS ARE THOSE THAT ARE READY FOR SALE AND INSTALLATION WITHOUT ANY FURTHER OPERATIONS. SEMI-FINISHED ROTORS ARE THOSE ON WHICH THE SURFACE IS NOT ENTIRELY SMOOTH, AND

HAVE UNDERGONE SOME DRILLING. UNFINISHED ROTORS ARE THOSE WHICH HAVE UNDERGONE SOME GRINDING OR TURNING.

THESE BRAKE ROTORS ARE FOR MOTOR VEHICLES, AND DO NOT CONTAIN IN THE CASTING A LOGO OF AN ORIGINAL EQUIPMENT MANUFACTURER (OEM) WHICH PRODUCES VEHICLES SOLD IN THE UNITED STATES (E.G., GENERAL MOTORS, FORD, CHRYSLER, HONDA, TOYOTA, VOLVO). BRAKE ROTORS COVERED IN THIS INVESTIGATION ARE NOT CERTIFIED BY OEM PRODUCERS OF VEHICLES SOLD IN THE UNITED STATES. THE SCOPE ALSO INCLUDES COMPOSITE BRAKE ROTORS THAT ARE MADE OF GRAY CAST IRON, WHICH CONTAIN A STEEL PLATE, BUT OTHERWISE MEET THE ABOVE CRITERIA.

BRAKE ROTORS ARE CLASSIFIABLE UNDER SUBHEADING 8708.39.5010 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATIONS NUMBER A-570-845 AND A-570-846 FOR THE PEOPLE'S REPUBLIC OF CHINA.

4. BECAUSE CRITICAL CIRCUMSTANCES EXIST FOR ALL IMPORTS OF BRAKE DRUMS FROM ALL BRAKE DRUM EXPORTERS FROM THE PRC EXCEPT THOSE NOTED BELOW, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH PRODUCTS THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, ON

OR AFTER JULY 12, 1996, WHICH IS 90 DAYS BEFORE THE PUBLICATION OF THE BRAKE DRUMS PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER. EFFECTIVE OCTOBER 25, 1996, FOR SUCH ENTRY SUMMARIES, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE ESTIMATED MARGIN OF 105.56 PERCENT, THE CHINA-WIDE RATE, AS REFLECTED IN THE BRAKE DRUMS PRELIMINARY DETERMINATION.

WE FIND THAT CRITICAL CIRCUMSTANCES DO NOT PRELIMINARILY EXIST FOR BRAKE DRUMS SALES BY THE FOLLOWING PRC FIRMS:

BEIJING XINCHANGYUAN AUTOMOBILE FITTINGS CORPORATION, LTD.

CHINA NATIONAL AUTOMOTIVE INDUSTRY IMPORT & EXPORT CORPORATION,
SHANDONG LAIZHOU CAPCO INDUSTRY CO. (ALSO KNOWN AS SHANDONG
LAIZHOU CAPCO MACHINERY CO., LTD.)

CHINA NATIONAL MACHINERY IMPORT & EXPORT CORPORATION

HEBEI METALS AND MACHINERY IMPORT & EXPORT CORPORATION

JIUYANG ENTERPRISE CORPORATION

LONGJING WALKING TRACTOR WORKS FOREIGN TRADE IMPORT & EXPORT
CORPORATION

QINGDAO METALS & MACHINERY IMPORT & EXPORT CORPORATION

SHANXI MACHINERY AND EQUIPMENT IMPORT & EXPORT CORPORATION

YANTAI IMPORT & EXPORT CORPORATION

5. BECAUSE CRITICAL CIRCUMSTANCES EXIST FOR ALL IMPORTS OF BRAKE ROTORS FROM SHENYANG HONBASE MACHINERY CORPORATION, LTD., AND LAIZHOU LUYUAN AUTOMOBILE FITTINGS CORPORATION, LTD. (HEREAFTER REFERRED TO AS SHENYANG/LAIZHOU) AND ALL OTHER BRAKE ROTOR EXPORTERS FROM THE PRC EXCEPT THOSE NOTED BELOW, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH PRODUCTS THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, ON OR AFTER JULY 12, 1996, WHICH IS 90 DAYS BEFORE THE PUBLICATION OF THE BRAKE ROTORS PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER. EFFECTIVE, OCTOBER 25, 1996, FOR SUCH ENTRY SUMMARIES, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE ESTIMATED MARGIN OF 64.56 PERCENT, AS REFLECTED IN THE BRAKE ROTORS PRELIMINARY DETERMINATION.

WE FIND THAT CRITICAL CIRCUMSTANCES DO NOT PRELIMINARILY EXIST FOR BRAKE ROTORS SALES BY THE FOLLOWING PRC FIRMS:

BEIJING XINCHANGYUAN AUTOMOBILE FITTINGS CORPORATION, LTD.

CHINA NATIONAL MACHINERY AND EQUIPMENT IMPORT & EXPORT (XINJIANG) CORPORATION, LTD.

CHINA NATIONAL AUTOMOTIVE INDUSTRY IMPORT & EXPORT CORPORATION,
SHANDONG LAIZHOU CAPCO INDUSTRY CO. (ALSO KNOWN AS SHANDONG
LAIZHOU CAPCO MACHINERY CO., LTD.)

HEBEI METALS AND MACHINERY IMPORT & EXPORT CORPORATION

JILIN PROVINCIAL MACHINERY & EQUIPMENT IMPORT & EXPORT
CORPORATION

JIUYANG ENTERPRISE CORPORATION

LONGJING WALKING TRACTOR WORKS FOREIGN TRADE IMPORT & EXPORT
CORPORATION

QINGDAO METALS & MACHINERY IMPORT & EXPORT CORPORATION

SHANXI MACHINERY AND EQUIPMENT IMPORT & EXPORT CORPORATION

SOUTHWEST TECHNICAL IMPORT & EXPORT CORPORATION, AND YANGTZE
MACHINERY CORPORATION (COLLECTIVELY SOUTHWEST)

XIANGHE ZICHEN CASTING CORPORATION

YANTAI IMPORT & EXPORT CORPORATION

YENHERE CORPORATION

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS
OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE
SUPERVISORY CHANNELS, IMPORT OPERATIONS,
ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB". THE
IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT
BRIAN SMITH, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION,
INTERNATIONAL TRADE ADMINISTRATION, U.S.
DEPARTMENT OF COMMERCE, AT (202) 482-1766.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

WILLIAM D. SLYNE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party